

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7336

BILL NUMBER: HB 1246

NOTE PREPARED: Jan 29, 2004

BILL AMENDED: Jan 29, 2004

SUBJECT: Board of Education and Public Instruction Superintendent.

FIRST AUTHOR: Rep. Oxley

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) The bill provides for the Superintendent of Public Instruction to be appointed by the Governor. The bill provides that a member of the Indiana State Board of Education (the Board) shall be elected from each Indiana Congressional District in a nonpartisan election at the general election in the year the Governor is elected. The bill repeals a provision requiring a candidate for the Office of State Superintendent of Public Instruction to reside in Indiana for at least two years before the election.

Effective Date: (Amended) Upon passage.

Explanation of State Expenditures: (Revised) *State Superintendent of Public Instruction:* Under the bill, the Superintendent of Public Instruction would be appointed by the Governor after January 9, 2005. The salary of the Superintendent would be fixed by the Governor. State expenditures would only be affected if the Superintendent's salary was set at a rate greater or less than \$79,400 as required under current law.

State Board of Education: Under the bill, the State Board of Education would become an elected body, except the State Superintendent, beginning with the 2004 general election. Board membership under current law consists of ten Governor-appointed members and the State Superintendent. The bill would reduce the membership of the Board by one member, as the bill would require the Board membership to consist of one member from each Indiana Congressional District. Currently, there are nine Congressional Districts in Indiana. Current Board members are entitled to an annual salary of \$2,000 plus salary per diem and reimbursement for travel expense. The state would realize a cost savings of one member's salary, per diem, and travel cost.

Under the bill, candidates for the State Board would be required to submit the appropriate campaign finance disclosure forms to the Election Division. This provision should minimally affect the administrative time of

the Election Division.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *General Election Ballot for State Board of Education:* The bill specifies the procedure for the placement of State Board candidates on either paper ballots, ballot card voting system (including optical-scan or punch card machines), or electronic voting systems. Given the effective date of the bill, the provision should incur a minimal increase in expenditure for counties to include State Board candidates on the general election ballot. The potential cost increase could occur for any paper-type ballot to include the printing of additional candidates. If changes to a direct recording electronic ballot were allowed to be included in annual maintenance service agreements, the re-programming change to an electronic voting system would be minimal.

Background: The following estimate assumes that the cost of changing ballot programming for Micro Vote direct recording electronic (DRE) voting systems would be included within the yearly maintenance fees. Based on the 2002 general election voter data, the annual maintenance cost for those counties that employed Micro Vote DRE systems may have ranged from \$0.04 to \$0.87 per voter that voted in the election. The estimate depends on the number of voters voting in the county and the value of the maintenance agreement. Annual agreements range from \$3,500 to \$5,500.

For the 2002 general election the average costs of ES&S optical scan ballots were about \$300 per thousand or thirty cents per voter.

Explanation of Local Revenues:

State Agencies Affected: Department of Education, State Board of Education.

Local Agencies Affected: County election officials.

Information Sources: Indiana Election Division, (317) 232-3939; Election Systems and Software (317) 913-0230; Steve Shamo, Micro Vote (317) 257-4900.

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